

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: July 16, 2010

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Lee Watts
Project Manager – KEWM-4

Proposed Action: Provision of funds to the Kalispel Tribe (Kalispel) for purchase of Trimble Creek (Doramus) Property

Fish and Wildlife Project No.: 1992-061-00, Contract # BPA-004991

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):

B1.25 Transfer, lease, disposition or acquisition of interests in uncontaminated land for habitat preservation or wildlife management, and only associated buildings that support these purposes. Uncontaminated means that there would be no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment.

Location: Township 33 North Range 44 East Section 11 of the Skookum Creek and Browns Lake USGS Quadrangle, in Pend Oreille County, Washington. Approximately 3 miles northwesterly of Cusick, Washington.

Proposed by: Bonneville Power Administration (BPA) and the Kalispel Tribe (Kalispel)

Description of the Proposed Action: BPA proposed to fund the acquisition of the of the 72.75 Doramus property by the Kalispel. BPA will be granted a perpetual conservation easement over the entire property as a condition of funding the acquisition. The property is being acquired because of its outstanding riparian and floodplain natural resource values. The acquisition is an opportunity to enhance, restore, and manage habitat associated with Trimble Creek for Canada goose, mallard, Savannah sparrow, Lincoln sparrow, bobolink, white-tailed deer, elk, and coyote; and other species dependent on riparian habitat for their survival. The easement will protect the conservation values for which the property is being acquired by restricting activity such as residential, non-agricultural, commercial, and industrial development. The property also contains a shed and a hay barn.

BPA and the Kalispel agree that this acquisition and the permanent protection of the property that will result are ultimately being undertaken for the benefit of the public. Ownership by the Kalispel and the perpetual conservation easement to be held by BPA will ensure that the critical wildlife habitat values present on the property will be protected forever.

BPA is funding the Kalispel's acquisition of the property and is receiving a conservation easement. Prior to any management activities, BPA will conduct further environmental review.

Findings: BPA has determined that the proposed action complies with Section 1021.410 and Appendix B of Subpart D of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996). The proposed action does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal. The proposal is not connected [40 C.F.R. 1508.25(a)(1)] to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts [40 C.F.R. 1508.25(a)(2)], and is not precluded by 40 C.F.R. 1506.1 or 10 C.F.R. 1021.211. Moreover, the proposed action would not (i) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, (ii) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, (iii) disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases, or (iv) adversely affect environmentally sensitive resources.

Based on the provision that under Section 106 of the National Historic Preservation Act, consultation will be conducted prior to any ground disturbing activities, this proposed action meets the requirements for the Categorical Exclusion referenced above. We therefore determine that the proposed action may be categorically excluded from further NEPA review and documentation.

/s/ Jenna Peterson

Jenna Peterson

Environmental Protection Specialist – KEC-4

Concur:

/s/ Katherine S. Pierce

Katherine S. Pierce

NEPA Compliance Officer

DATE: July 16, 2010

Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: FY 10 Albeni Falls Wildlife Mitigation

Project #: 1992-061-00 Contract # BPA-0044991

This project has been found to **not** adversely affect the following environmentally sensitive resources, laws, and regulations:

| Environmental Resources | No Adverse Effect | No Adverse Effect With Conditions |
|--|-------------------------------------|-----------------------------------|
| 1. Cultural Resources No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. T & E Species, or their habitat(s) No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Floodplains or wetlands No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Areas of special designation No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Health & safety No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Prime agricultural lands No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Special sources of water No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Consistency with state and local laws and regulations No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Pollution control at Federal facilities No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Other No effect as this is strictly a land acquisition | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

List supporting documentation attached (if needed):

Signed: /s/ Jennifer Peterson

Date: July 14, 2010